

REMARKS

Restriction Requirement

Claims 1, 2, 7, 13, 14, 25-28, 30, 32, 35, 47, 50, 51, 53-55, 62, and 63 were restricted under 35 U.S.C. § 121 into the following groups:

- I. Claims 1, 2, 7, 13, 14, 25-28, 30, 32, 35, 47, 50, and 55, drawn to a Factor VIIa variants.
- II. Claims 51, 53, and 54, drawn to nucleotide sequences encoding variants of Factor VIIa and host cells comprising said nucleotide sequences.
- III. Claims 62 and 63, drawn to methods for treating a mammal by administering a pharmaceutical composition comprising a variant Factor VIIa.

The Examiner requires that Applicants elect one of these claim groups for prosecution in the instant application. The Examiner also requires that Applicants elect a single disclosed species for prosecution in the application.

Applicants hereby elect Claim Group I (claims 1, 2, 7, 13, 14, 25-28, 30, 32, 35, 47, 50, and 55) and species L65Q without traverse. Claims 1, 2, 7, 13, 14, 25-28, 30, 32, 35, 47, 50, and 55 are readable on the elected species. Claims 1, 2, 7, 13, 14, 25, 26, 30, 32, 55, and 63 have been amended. All of the amendments are fully supported by the application as filed and introduce no new matter. Claims 51, 53, 54, 62, and 63, drawn to non-elected inventions corresponding to Claim Groups II and III, are labeled herein as “withdrawn”. Claim 47 has been canceled herein without prejudice to subsequent renewal, including in a continuation or divisional application. Claims 3-6, 8-12, 15-24, 29, 31, 33-34, 36-46, 48-49, 52, 56-61, and 64-66 were previously canceled.

Request for Rejoinder of Method Claims

In the event any product claims are found allowable, Applicants request rejoinder of method claims that depend from or otherwise include all of the limitations of the allowed product claim(s), pursuant to 35 USC §121 and MPEP §821.04. Such claims include those in Claim Group III (claims 62-63).

FEES

Enclosed herewith is a Petition for Extension of Time Under 37 CFR 1.136(a) to extend the time for response for three months. The Commissioner is authorized to deduct \$1050.00 from the undersigned's Deposit Account No. 50-0990 for this petition.

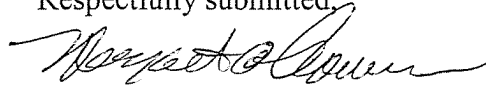
With entry of this Amendment, a total of 19 claims (1 independent claim and 18 dependent claims) are pending and thus no excess claim fees are due.

Accordingly, it is believed that total fees in the amount of \$1050.00 are due. The Commissioner is authorized to deduct this amount, or any fees required for this application, from the undersigned's Deposit Account No. 50-0990. Please also credit any overpayment to Deposit Account No. 50-0990.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If a telephone conference would expedite prosecution of this application in any way, the Examiner is invited to telephone the undersigned at (650) 298-5809.

Respectfully submitted,



Margaret A. Powers
Reg. No. 39,804

March 26, 2008
Maxygen, Inc.
Intellectual Property Department
515 Galveston Drive
Redwood City, California 94063
Telephone: (650) 298-5809
Facsimile: (650) 298-5446
Customer No. 30560